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**FAX TRANSMITTAL SHEET**

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**DATE:** JULY 25, 2006

**NUMBER OF PAGES (INCLUDING  
THIS FAX TRANSMITTAL SHEET):** 5

**LVM REFERENCE:** 225593

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**FROM:** JAMES B. MUSKAL

**REGISTRATION NO.** 22,797

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**To:** MAIL STOP AF  
UNITED STATES PATENT AND TRADEMARK OFFICE  
COMMISSIONER FOR PATENTS  
ALEXANDRIA, VA 22313

**FAX NUMBER:** (571) 273-8300

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**IN RE APPLN. OF:** LUBOMYR M, CYMBALISTY  
**APPLICATION NO.** 10/736,485  
**FILED:** DECEMBER 15, 2003  
**FOR:** HYDRODYNAMIC STATIC MIXING APPARATUS FOR USE THEREOF IN  
TRANSPORTING, CONDITIONING AND SEPARATING OIL SANDS AND THE  
LIKE

**ATTORNEY DOCKET:** 225593

**ATTACHED PLEASE FIND THE FOLLOWING DOCUMENTS:**

**NOTICE OF APPEAL IN DUPLICATE (4 PAGES)**

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A confirmation copy of the transmitted document will:

Not be sent. This will be the only form of delivery of the transmitted document.

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Patent Application No. 10/736,485

Applicant: Lubomyr M. Cymbalisty

Filed: December 15, 2003

TC/AU: 1723

Examiner: SORKIN, David L.

Docket No.: 225593

Customer No.: 23460

Mail Stop AF  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

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**JUL 25 2006**

**NOTICE OF APPEAL FROM THE  
 EXAMINER TO THE  
 BOARD OF PATENT APPEALS AND INTERFERENCES**

Dear Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner mailed January 25, 2006, rejecting the following claims: 1, 14-15.

**1. Pre-Appeal Brief Request for Review**

A "Pre-Appeal Brief Request for Review" is  filed concurrently herewith or  is not being filed.

**2. Status of Applicants**

This application is on behalf of  other than a small entity or  a small entity.

**3. Fee for Filing Notice of Appeal**

Pursuant to 37 CFR 41.20(b), the fee for filing the Notice of Appeal is for:  other than a small entity or  a small entity.

**Notice of Appeal Fee due \$250.00**

<b>MAILING/TRANSMISSION CERTIFICATE UNDER 37 CFR 1.8 OR 1.10</b>			
I hereby certify that this document and all accompanying documents are, on the date indicated below, being facsimile transmitted to the U.S. Patent and Trademark Office at fax number: (571) 273-8300.			
Name (Print/Type)	Jasmin Diaz		
Signature	Jasmin Diaz	Date	July 25, 2006

07/26/2006 TL0111 00000007 121216 10736485

01 FC:2401 250.00 DA

Application No. 10/736,485

Notice of Appeal

**4. Extension of Time**

- Applicants petition for a three-month extension of time under 37 CFR 1.136, the fee for which is \$510.00.
- An extension for three-month has already been secured and the fee paid therefore of \$510.00 is deducted from the total fee due for the total amounts of extension now requested.
- Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicants have inadvertently overlooked the need for a petition and fee for extension of time.

**Extension fee due with this request: \$ 0.00****5. Total Fee Due**

The total fee due is:

Notice of Appeal Fee	\$ 250.00
Extension Fee (if any)	\$ 0.00

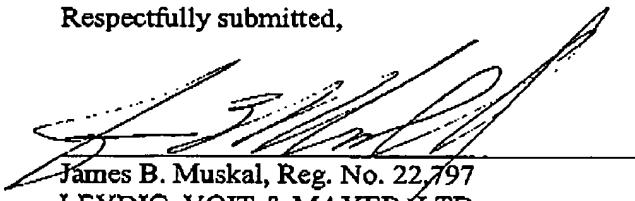
**Total Fee Due: \$250.00****6. Fee Payment**

- Attached is a check in the sum of \$ Charge Account No. 12-1216 the sum of \$250.00. A duplicate of this transmittal is attached.

**7. Fee Deficiency**

- If any additional fee is required in connection with this communication, charge Account No. 12-1216. A duplicate of this transmittal is attached.

Respectfully submitted,

  
James B. Muskal, Reg. No. 22,797  
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Date: July 25, 2006

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